

UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

IN RE: FOSAMAX (ALENDRONATE SODIUM)  
PRODUCTS LIABILITY LITIGATION (NO. II)

MDL No. 2243

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-1)

On May 23, 2011, the Panel transferred 10 civil action(s) to the United States District Court for the District of New Jersey for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* \_F.Supp.2d\_ (J.P.M.L. 2011). Since that time, no additional action(s) have been transferred to the District of New Jersey. With the consent of that court, all such actions have been assigned to the Honorable Garrett E Brown, Jr.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of New Jersey and assigned to Judge Brown.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the District of New Jersey for the reasons stated in the order of May 23, 2011, and, with the consent of that court, assigned to the Honorable Garrett E Brown, Jr.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of New Jersey. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

Jun 02, 2011

CLERK'S OFFICE  
UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi

Clerk of the Panel

I HEREBY CERTIFY that the above and  
foregoing is a true and correct copy of  
the original on file in my office.

ATTEST  
WILLIAM T. WALSH, Clerk  
United States District Court  
District of New Jersey

By:   
Deputy Clerk

6/8/11

**IN RE: FOSAMAX (ALENDRONATE SODIUM)  
PRODUCTS LIABILITY LITIGATION (NO. II)**

MDL No. 2243

**SCHEDULE CTO-1 – TAG-ALONG ACTIONS**

<u>DIST</u>	<u>DIV.</u>	<u>C.A.NO.</u>	<u>CASE CAPTION</u>
ALABAMA MIDDLE			
ALM	2	11-00346	<del>Barnes v. Merck Sharp &amp; Dohme Corp., et al</del> Opposed 6/2/2011
COLORADO			
CO	1	11-01050	Sunshine et al v. Merck & Co., Inc. et al
DISTRICT OF COLUMBIA			
DC	1	11-00652	DAVIS et al v. MERCK SHARP & DOHME CORP.
GEORGIA SOUTHERN			
GAS	4	11-00118	Sutton et al v. Merck & Co., Inc.
LOUISIANA EASTERN			
LAE	2	11-00883	Naccio v Merck Sharp & Dohme Corp, et al
NEW YORK EASTERN			
NYE	2	11-01847	Langone et al v. Merck Sharp & Dohme Corp. et al
NEW YORK SOUTHERN			
NYS	1	11-02866	Feuerwerker et al v. Merck & Co., Inc.
NYS	1	11-03373	Granato et al v. Merck Sharp & Dohme Corp.
OHIO NORTHERN			
OHN	1	11-00922	Jeffries v. Merck, Sharpe & Dohme